UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
P.O. Box 2417
Washington, D.C. 20013

5200
JUL 1 1977

Mr. Douglas M. Costle
Administrator
Environmental Protection Agency
Room 1200 West Tower, A-100
401 M Street, S.W.
Washington, D.C. 20460

Dear Mr. Costle:

This is reference to the injury being inflicted on the Flathead National Forest, Montana, as a result of the willful emissions of phytotoxic gases and particulate fluorides to the atmosphere by Anaconda Aluminum Company, Columbia Falls, Montana, (now a subsidiary of Atlantic Richfield Company). The emissions have resulted in injury to recreation, wildlife, timber, and esthetic resources on the Flathead National Forest. Forest Service studies conducted since 1970 document the emission of phytotoxic gases and particulate fluorides as causing primary injury to plants, growth loss on lodgepole pine, weakening and predisposing pine to insect attack, and general degradation of environmental values. Environmental Protection Agency (EPA) and the University of Montana studies provide support and credit to the Forest Service studies. Data collected by the Anaconda Aluminum Company agree closely with that collected by the Forest Service.

This matter has been referred to the Department of Justice for such action as it considers appropriate (see enclosed May 9, 1977, letter from Richard L. Fowler, Director of Natural Resources Division, Office of the General Counsel, USDA, to Attorney General Griffin B. Bell).

The preliminary damage estimates provided by the Forest Service range from $2,000,000 to $80,000,000, assuming that some 20,000 acres are being adversely affected by elevated levels of fluorides and that damages are calculated on a total loss of land value. Even if the Anaconda Aluminum Company does pay for damages, the payment will not adequately protect the Flathead National Forest from further injury. The only real protection from further injury is a reduction in emissions. In order to protect the forest from further injury, the level of emissions would have to be reduced below the present State standard.

In addition to whatever assistance you may provide with respect to this specific situation, we would appreciate any assistance that EPA can offer in insuring that the Nation's forest resources are protected from further injury by toxic air pollutants. We are particularly hopeful that you would be able to develop national primary and secondary standards for gaseous fluoride emissions. These standards would help protect all the National Forests and other public and private forest lands from air pollution injury.

If you need further information, please contact Daniel Brown, Forest Insect and Disease Management, USDA, Forest Service, P.O. Box 2417, Washington, D.C. 20013, 235-8209.

Sincerely,

JOHN R. McGUIRE
Chief

Enclosures